

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION**

GARY CARTER,

Plaintiff,

v.

W.B. MELTON, *et al.*,

Defendants.

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**No. 2:13-cv-0120
Chief Judge Sharp**

ORDER

The Plaintiff, an inmate at the Morgan County Correctional Complex in Wartburg, Tennessee, filed this *pro se, in forma pauperis* action under 42 U.S.C. § 1983, alleging excessive force claims under the Eighth Amendment to the United States Constitution. (Docket No. 1).

The Court has before it a Report and Recommendation (R&R) by the Magistrate Judge entered on September 29, 2014 (Docket No. 41), recommending that the Plaintiff's action be dismissed without prejudice for failure to comply with orders of the Court.

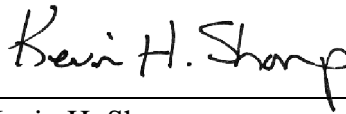
On September 15, 2014, the Magistrate Judge entered an order (Docket No. 36), requiring the Plaintiff to file with the Court a written statement informing the Clerk's Office of his current address. The order required Plaintiff to file such explanation within ten days of the date of entry of the Court's order, and it also stated in pertinent part, "If Plaintiff fails to comply with the provisions of this Order, the undersigned will recommend that this action be dismissed without prejudice." (*Id.* at p. 2).

However, to date, the Plaintiff has not responded to the Magistrate Judge's Order. Furthermore, the Plaintiff has not filed any objections to the Magistrate Judge's R&R.

After reviewing the pleadings and the record *de novo*, the Court agrees with the Magistrate Judge's analysis and recommendation. 28 U.S.C. § 1367(a)(c)(3). Accordingly, the Magistrate Judge's R&R is **ADOPTED AND APPROVED**, and the Plaintiff's case is hereby **DISMISSED WITHOUT PREJUDICE** for failure to comply with orders of the Court.

This order constitutes the judgment in this case.

It is so **ORDERED**.

A handwritten signature in black ink that reads "Kevin H. Sharp". The signature is written in a cursive, flowing style. Below the signature is a solid horizontal line.

Kevin H. Sharp
Chief United States District Judge